



*SP
AF*

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date forth below as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Date of Signature and Deposit: December 16, 2005

Jack Cook
Jack M. Cook, Reg. No. 56,098

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): John Zahorjan, et al.
Serial No.: 09/633,507
Filed: August 07, 2000
For: **Method for Efficient, On-Demand Data Streaming**
Group Art Unit: 2776
Docket No.: 960296.97354
Examiner: Srivastava, Vivek

NOTICE OF APPEAL

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the final Office Action of June 16, 2005, please find a Notice of Appeal filed herewith. Accordingly, an Appeal Brief setting forth Applicant's position will be forthcoming no later than two months from the filing of this Notice of Appeal.

Respectfully submitted,

John Zahorjan, et al.

By:

Jack Cook
Jack M. Cook
Attorney for Applicant
Quarles & Brady
411 E. Wisconsin Avenue, Suite 2040
Milwaukee WI 53202-4497
(414) 277-5405
Reg. No. 56,098

QBMKE\5828758.1



Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

960296.97354

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on December 16, 2005

Signature Typed or printed name Jack M. CookIn re Application of
John ZahorjanApplication Number
09/633,507Filed
August 7, 2000

For Method for Efficient, On-Demand Data Streaming

Art Unit
2617Examiner
Srivastava, Vivek

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ _____

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 17-0055. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

attorney or agent of record.
Registration number 56,098


 Signature
Jack M. Cook
 Typed or printed name
(414) 277-5405

Telephone number

attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. _____

December 16, 2005

Date

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.**

*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

5828667

 12/29/2005 WARDERI 00000054 170555 09633507
 01 FC:1401 500.00 DA